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COUNSEL FOR DEFENDANT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA

BETTOR RACING, INC. and J. RANDY
GALLO,

Plaintiffs,

v.

NATIONAL INDIAN GAMING COMMISSION,

Defendant.

No. 4:13-cv-04051-KES

NOTICE OF LODGING
ADMINISTRATIVE RECORD,
INCLUDING CONFIDENTIAL
PORTION FILED UNDER SEAL

Federal Defendant National Indian Gaming Commission hereby provides notice of lodging the administrative record in this case, including portions of the record containing confidential information subject to the Court's September 9, 2013, Protective Order (ECF No. 29) that will be lodged under seal. Federal Defendant has prepared two versions of the administrative record. One is complete and has been marked as containing Confidential Information. Pursuant to the Protective Order it will be lodged under seal. The second version of the administrative record omits the documents containing Confidential Information. That version will be lodged publically and served on the parties. Pursuant to the procedure set forth in Paragraphs 4–6 of the Protective Order, the two versions of the administrative record will be sent today via Federal Express to the Clerk of the Court and to the parties. A courtesy copy of the two versions of the administrative record will also be provided to chambers. A declaration certifying the Administrative Record is attached as an exhibit to this notice.

Respectfully Submitted,

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/s/ Ty Bair
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DATED: September 16, 2013